

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2698

House Bill No. 2770*

by deleting all language after the enactment clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1325, is amended by deleting the section and substituting:

(a)

(1) It is the intent of this section to balance the right of a person to carry a firearm in order to exercise the right of self-defense and the ability of a property owner or entity in charge of the property to exercise control over governmental or private property.

(2) A person or entity that is authorized to prohibit the possession of firearms on the person's or entity's property pursuant to § 39-17-1359 and who elects, pursuant to that authority, to prohibit the possession of firearms by a person authorized to carry a firearm, including, but not limited to, a handgun, pursuant to this part, thereby assumes absolute custodial responsibility for the safety and defense of the person while on the posted property and while on any property the person is required to traverse in order to travel to and from the location where the person's firearm is stored.

(3) The responsibility of the posting person or entity for the safety and defense of the person authorized to carry a firearm pursuant to this part extends to the conduct of other invitees, trespassers, employees of the person or entity, vicious animals, wild animals, and defensible man-made and natural hazards.

(4)



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(A) A person who is authorized to carry a firearm pursuant to this part who is injured, suffers bodily injury or death, incurs economic loss or expense, property damage, or any other compensable loss as the result of conduct occurring on property that is posted pursuant to § 39-17-1359, or on property the person is required to traverse in order to travel to and from the location where the person's firearm is stored, has a cause of action against the person or entity posting. In addition to damages, the person is entitled to reasonable attorney fees, expert witness costs, and other costs necessary to bring the cause of action.

(B) Subdivision (a)(4)(A) does not apply if the injury, death, loss, expense, or damage has no connection to the person's ability, or lack of ability, to defend themselves with a firearm and is not otherwise within the scope of the defendant's responsibility or related to the decision to post. This subdivision (a)(4)(B) is to be narrowly construed.

(C) The statute of limitations for such an action is two (2) years from the date of the occurrence giving rise to the damages, loss, or injury.

(5) Any notice or signage that property is posted pursuant to § 39-17-1359 must also contain language citing this section and stating that any person on the posted property who is otherwise authorized to carry a firearm is under the custodial responsibility of the posting person or entity.

(6) To prevail in an action brought under this section, the plaintiff must show by a preponderance of the evidence that:

(A) The plaintiff was authorized to carry a firearm pursuant to this part at the time of the incident giving rise to the action;

(B) The plaintiff was prohibited from carrying a firearm on the property where the incident occurred because carrying a firearm was prohibited pursuant to § 39-17-1359; and

(C) Prohibition of carrying a firearm on the property was not required by state or federal law but was by choice of the defendant.

(7) Claims against the state must be adjudicated by the claims commission pursuant to title 9, chapter 8.

(8) This subsection (a) must be liberally construed to effectuate its purpose.

(b) A person, business, or other entity that owns, controls, or manages property and has the authority to prohibit weapons on that property by posting, pursuant to § 39-17-1359, is immune from civil liability with respect to a claim based on the person's, business's, or other entity's failure to adopt a policy that prohibits weapons on the property by posting pursuant to § 39-17-1359.

(c) Immunity under subsection (b) does not apply to a person, business, or other entity whose conduct or failure to act is the result of gross negligence or willful or wanton misconduct.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

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AMEND Senate Bill No. 1761*

House Bill No. 1768

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-21-401(o), is amended by adding the following new subdivision:

(5) In addition to the transaction fee or subscription fee authorized by this subsection (o), the clerk may charge a printing fee of up to twenty cents (20¢) per page for the purpose of printing a paper copy of any filing to be kept in the clerk's file.

Pursuant to subsection (l), these fees shall not be assessed against the state.

SECTION 2. Tennessee Code Annotated, Section 8-21-401(o)(2), is amended by deleting the subdivision and substituting instead the following:

(2) Pursuant to subsection (m), the transaction fee, subscription fee, and printing fee shall not be assessed to a party declared indigent or to that indigent party's legal representative.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it. This act terminates July 1, 2024, and on that date the law in effect prior to this act's effective date is revived.



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House Civil Justice Subcommittee Am. # 1

Amendment No. _____

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Comm. Amdt. _____

AMEND Senate Bill No. 2746

House Bill No. 2533*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 8, Part 2, is amended by adding the following as a new section:

A sheriff, deputy sheriff, or constable serving an order of protection or ex parte order of protection shall, prior to or at the time of service, make reasonable efforts to determine whether the person being served has an outstanding criminal warrant. If the person being served has an outstanding criminal warrant, then the sheriff, deputy sheriff, or constable shall either serve the outstanding criminal warrant or notify the agency holding the criminal warrant of the person's location.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Comm. Amdt. _____

AMEND Senate Bill No. 2149*

House Bill No. 2850

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

(a) The Tennessee bureau of investigation shall create a voucher program for the purpose of providing a handgun safety course to persons who purchase a handgun in this state from a licensed federal firearms dealer. The program should generate a voucher upon completion of the background check required by § 39-17-1316.

(b)

(1) The voucher program must consist of a voucher provided to a handgun purchaser at the time the handgun is purchased in this state from a licensed federal firearms dealer. The voucher must contain a watermark and state that the voucher is nontransferable.

(2) The voucher must be valid for thirty (30) days and entitle the handgun purchaser to participate in a handgun safety course approved by the department of safety.

(3) The voucher must not contain information that identifies the purchaser of the handgun or the type of handgun purchased.

(4) If a handgun purchaser chooses to use the voucher to take a handgun safety course approved by the department of safety, then the handgun purchaser must present the voucher to the entity providing the handgun safety course at the time the handgun purchaser participates in the course.



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(5) The handgun purchaser must be responsible for any cost of the handgun safety course that exceeds the face value of the voucher.

(6) The value of the voucher must not exceed thirty dollars (\$30.00).

(7) An entity providing an approved handgun safety course to a person presenting a voucher must be able to present the voucher to the department of safety for reimbursement of the cost of the course up to the face value of the voucher.

(c) The department of safety shall not request information from the entity providing the handgun safety course regarding the identity of the handgun purchaser who presented the voucher to the entity and participated in the handgun safety course.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. The Tennessee bureau of investigation and the department of safety are authorized to promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For purposes of promulgating rules and forms, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.